

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Hon. Jose L. Linares

v.

Criminal No. 11-310

KOLE AKINOLA,

ORDER FOR CONTINUANCE

Defendant.

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This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Joseph B. Shumofsky, Assistant U.S. Attorney), and defendant Kole Akinola (by Thomas Ashley, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter for a period of thirty (30) days, from August 18, 2011 through and including September 16, 2011, so that the parties may attempt to resolve this matter and thereby avoid a possible trial, and the defendant being aware that he has a right to have the matter brought to trial within seventy (70) days of the date of his appearance before a judicial officer of this court pursuant to Title 18, United States Code, Section 3161(c)(1), and as the defendant does not oppose the Government's application, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. The Government and the defendant are continuing plea negotiations and desire additional time to determine whether there is the possibility to resolve this matter, which would render trial of this matter unnecessary and would save judicial resources;
2. The Government recently reassigned this matter to a new Assistant United States

Attorney when the original prosecutor representing the Government left the United States Attorney's Office, and additional time will allow the new prosecutor to become familiar with the case and continue plea negotiations with the defendant;

3. The Government has advised this Court that it has withdrawn its Motion for Continuance, Docket Entry 13; and

4. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 18<sup>th</sup> day of August, 2011.

IT IS ORDERED that the proceedings in the above-captioned matter are continued for thirty (30) days, from August 18, 2011 through and including September 16, 2011;

IT IS FURTHER ORDERED that the dates set forth in this Court's Order for Discovery and Inspection entered on June 8, 2011, are hereby postponed as follows:

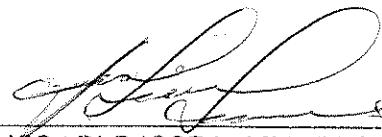
Pretrial motions filed by: August 24, 2011

Opposition due by: August 31, 2011

Motions hearing date: Sept. 7, 2011

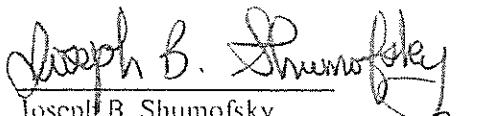
Trial set for: Sept. 14, 2011

IT IS FURTHER ORDERED that August 18, 2011 through and including September 16, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).

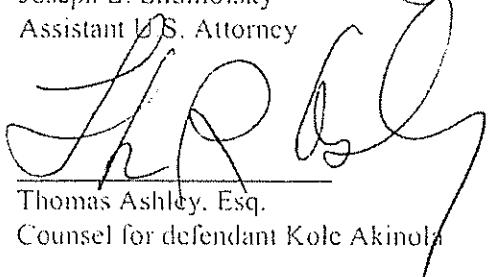


HONORABLE JOSE L. LINARES  
United States District Judge

Form and entry  
consented to:



Joseph B. Shumofsky  
Assistant U.S. Attorney



Thomas Ashley, Esq.  
Counsel for defendant Kole Akinola